

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)
)
Plaintiff,)
) 4:06CR3049
v.)
)
ERIK OSORIO,)
)
Defendant.) ORDER
)

Counsel for defendant has represented to the court that a motion to continue the plea hearing of December 6 would be filed. To date no such motion has been filed.

IT THEREFORE HEREBY IS ORDERED:

1. The change of plea hearing that was previously set for December 6 is rescheduled to December 22, 2006 at 1:30 p.m. before the undersigned magistrate judge in Courtroom 2, United States Courthouse and Federal Building, 100 Centennial Mall North, Lincoln, Nebraska.

2. The ends of justice will be served by granting such a motion, and outweigh the interests of the public and the defendant in a speedy trial, and the additional time arising as a result of the granting of the motion, the time between December 6, 2006 and the anticipated plea of guilty, shall be deemed excludable time in any computation of time under the requirements of the Speedy Trial Act, for the reason that defendant's counsel requires additional time to adequately prepare the case, taking into consideration due diligence of counsel, the novelty and complexity of the case, and the fact that the failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B).

3. Defendant shall appear for this hearing.

DATED this 15th day of December, 2006.

BY THE COURT:

s/ *David L. Piester*

David L. Piester
United States Magistrate Judge